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10 **UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

11 BANK OF AMERICA, N.A., SUCCESSOR BY  
MERGER TO BAC HOME LOANS  
12 SERVICING, LP FKA COUNTRYWIDE  
HOME LOANS SERVICING, LP,

13 Plaintiff,

14 vs.

15 BOULDER CREEK HOMEOWNERS  
ASSOCIATION; SFR INVESTMENTS POOL  
16 1, LLC; NEVADA ASSOCIATION SERVICES,  
INC.,

17 Defendants.  
18

Case No.: 2:16-cv-00572-GMN-PAL

**STIPULATION AND ORDER TO AMEND  
ORDER [ECF NO. 63]**

19 Plaintiff Bank of America, N.A. (**BANA**) and defendants Boulder Creek Homeowners  
20 Association and SFR Investments Pool 1, LLC submit the following stipulation to amend the court's  
21 March 30, 2019 order granting BANA's motion for partial summary judgment and denying  
22 defendant SFR Investments Pool 1, LLC's motion to dismiss and motion for summary judgment,  
23 ECF No. 63<sup>1</sup>:

24 The court granted BANA's motion for partial summary judgment and denied SFR's motion to  
25 dismiss and motion for summary judgment on March 30, 2019. (ECF No. 63.) The order grants  
26 BANA partial summary judgment on its quiet title/declaratory judgment claim and then dismisses  
27

28 <sup>1</sup> Defendant Nevada Association Services, Inc. did not respond to BANA's request it review and approve this stipulation.

1 BANA's wrongful foreclosure claim as moot because BANA "has received the relief it requested."  
2 (*Id.* at 15.)

3 The court recognized BANA's complaint also included a breach of NRS 116.1113 claim  
4 against defendants Boulder Creek and NAS, but the order does not dismiss this claim, likely  
5 unintentionally. (*Id.* at 2, 15.) To ensure the order is final and ripe for appeal, the parties therefore  
6 stipulate to the court amending page 15, lines 5-7 of its order to read: "Therefore, because the Court  
7 grants summary judgment for Plaintiff on its quiet title claim, Plaintiff has received the relief it  
8 requested. The Court accordingly dismisses Plaintiff's wrongful foreclosure and breach of NRS  
9 116.1113 claims as moot."

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The parties respectfully request the court approve this stipulation as an order of the court, and thereby amend its order, ECF No. 63, as set forth above.

This the 16th day of April, 2019.

This the 16th of April, 2019.

**AKERMAN LLP**

**TYSON & MENDES, LLP**

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Servicing, LP*

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Homeowners Association*

This the 19th day of April, 2019.

**KIM GILBERT EBRON**

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LLC*

**ORDER**

**IT IS SO ORDERED.**

DATED this 29 day of April, 2019.

  
Gloria M. Navarro, Chief Judge  
UNITED STATES DISTRICT JUDGE